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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/615,663 | 07/14/2000 | Rohit Khare | 004962.P001 | 6238 |

7590

05/06/2004

Jan Carol Little
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
7th Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025

EXAMINER

HU, JINSONG

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application

09/615,663

Applicant(s)

KHARE ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 21-76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-19 and 20-76 are presented for examination. Claims 1 and 15 have been amended; Claim 20 has been canceled; Claims 27-76 are newly added claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 14 24, 27-31, 40, 49, 52-56, 65 and 74 are rejected under 35 U.S.C. 102(e) as being anticipated by Okumura et al. (US 6,178,424 B1).

4. As per claims 1, 14 and 24, Okumura teaches the invention substantially as claimed including a method comprising monitoring and detecting publication of information, organizing the detected information into a set of topics [col. 5, lines 38-45; col. 8, lines 9-20]; facilitating a user to persistently subscribe to information based on at least one topic selected from among the set of topics [col. 6, lines 50-52]; routing information to the user based on the organization and subscription [col. 6, lines 25-49];

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and delivering the information to the user at one of a client system, a device or an application, wherein delivering the information to the user does not introduce additional latency above network physical limitations [col. 7, lines 13-18].

5. As per claims 2-5, Okumura teaches the step of organizing information into a set of topics including who [i.e., provider], what [i.e., text], when [i.e., providing time], or where [i.e., providing location; col. 6, lines 11-17].

6. As per claims 27, 40 and 49, Okumura teaches the invention substantially as claimed including a method comprising monitoring and detecting publication of information, organizing the detected information into a set of topics [col. 5, lines 38-45; col. 8, lines 9-20]; facilitating a user to persistently subscribe to information based on at least one topic selected from among the set of topics [col. 6, lines 50-52]; routing information to the user based on the organization and subscription [col. 6, lines 25-49]; and delivering the information to the user at least one of a client system, a device or an application, wherein delivering the information to the user is initiated by a data source [col. 3, lines 11-28; col. 7, lines 13-18].

7. As per claims 28-31, Okumura teaches the step of organizing information into a set of topics including who [i.e., provider], what [i.e., text], when [i.e., providing time], or where [i.e., providing location; col. 6, lines 11-17].

8. As per claims 52, 65 and 74, Okumura teaches the invention substantially as claimed including a method comprising monitoring and detecting publication of information, organizing the detected information into a set of topics [col. 5, lines 38-45; col. 8, lines 9-20]; facilitating a user to persistently subscribe to information based on at least one topic selected from among the set of topics [col. 6, lines 50-52]; routing information to the user based on the organization and subscription [col. 6, lines 25-49]; and delivering the information to the user at one of a client system, a device or an application, wherein the information has been delivered to other users [col. 5, lines 55-65; col. 7, lines 13-18; col. 9, line 66 – col. 10, line 6].

9. As per claims 53-56, Okumura teaches the step of organizing information into a set of topics including who [i.e., provider], what [i.e., text], when [i.e., providing time], or where [i.e., providing location; col. 6, lines 11-17].

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 6-13, 15-19, 21-23, 25-26, 32-39, 41-48, 50-51, 57-64, 66-73 and 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okumura et al. (US 6,178,424 B1) as applied to claims 1-5, 14 24, 27-31, 40, 49, 52-56, 65 and 74 above.

12. As per claim 6-9, Okumura teaches the invention substantially as claimed in claim 1. Okumura does not specifically teach the step of organizing information into a set of topics including different information types in different languages. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to organize information into different information types in different languages because doing so would enable user retrieving information from resource less complicated and time consuming by providing selections for the detailed topics in the language which the users familiar with. One of ordinary skill in the art would have been motivated to modify Okumura's system with detailed topics in different languages to attract more global users.

13. As per claims 10-13, 15-19 and 21-23, Okumura teaches the invention substantially as claimed in claim 1. Additionally, Okumura teaches the step of registering a user's device and establishing preferences for routing information to the user [col. 6, lines 25-49].

14. Okumura does not specifically teach the user's device including a pager, cellular telephone etc. However, it would have been obvious to a person of ordinary skill in the

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art at the time the invention was made to include a pager or a cellular telephone as a user's device in Okumura's system because doing so would bring the convenience to the user by allowing user receive required information even when the user could not reach his/her regular workstation. One of ordinary skill in the art would have been motivated to modify Okumura's system with different user's device to improve the capability of the system.

15. Okumura does not specifically teach a changeable threshold level for specifying the level of interest for the information from the user. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize a changeable threshold level for specifying the level of interest for the information from user because doing so would make the system more dynamic by allowing user select different topics when his/her preference changed by the time. One of ordinary skill in the art would have been motivated to modify Okumura's system with a changeable threshold level to provide better service to user.

16. As per claims 25 and 26, Okumura teaches the invention substantially as claimed in claim 1. Okumura does not specifically teach the client system having an embedded micro-server. However, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to added an embedded micro-server in client system in Okumura's system because doing so would make the information transmission between resource and user more accurate and reliable. One of ordinary

skill in the art would have been motivated to modify Okumura's system with an embedded micro-server to improve the performance of the entire system.

17. As per claim 32-35, Okumura teaches the invention substantially as claimed in claim 1. Okumura does not specifically teach the step of organizing information into a set of topics including different information types in different languages. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to organize information into different information types in different languages because doing so would enable user retrieving information from resource less complicated and time consuming by providing selections for the detailed topics in the language which the users familiar with. One of ordinary skill in the art would have been motivated to modify Okumura's system with detailed topics in different languages to attract more global users.

18. As per claims 36-39 and 41-48, Okumura teaches the invention substantially as claimed in claim 1. Additionally, Okumura teaches the step of registering a user's device and establishing preferences for routing information to the user [col. 6, lines 25-49].

19. Okumura does not specifically teach the user's device including a pager, cellular telephone etc. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a pager or a cellular telephone as a user's device in Okumura's system because doing so would bring the convenience to

the user by allowing user receive required information even when the user could not reach his/her regular workstation. One of ordinary skill in the art would have been motivated to modify Okumura's system with different user's device to improve the capability of the system.

20. Okumura does not specifically teach a changeable threshold level for specifying the level of interest for the information from the user. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize a changeable threshold level for specifying the level of interest for the information from user because doing so would make the system more dynamic by allowing user select different topics when his/her preference changed by the time. One of ordinary skill in the art would have been motivated to modify Okumura's system with a changeable threshold level to provide better service to user.

21. As per claims 50 and 51, Okumura teaches the invention substantially as claimed in claim 1. Okumura does not specifically teach the client system having an embedded micro-server. However, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to added an embedded micro-server in client system in Okumura's system because doing so would make the information transmission between resource and user more accurate and reliable. One of ordinary skill in the art would have been motivated to modify Okumura's system with an embedded micro-server to improve the performance of the entire system.

22. As per claims 57-60, Okumura teaches the invention substantially as claimed in claim 1. Okumura does not specifically teach the step of organizing information into a set of topics including different information types in different languages. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to organize information into different information types in different languages because doing so would enable user retrieving information from resource less complicated and time consuming by providing selections for the detailed topics in the language which the users familiar with. One of ordinary skill in the art would have been motivated to modify Okumura's system with detailed topics in different languages to attract more global users.

23. As per claims 61-64 and 66-73, Okumura teaches the invention substantially as claimed in claim 1. Additionally, Okumura teaches the step of registering a user's device and establishing preferences for routing information to the user [col. 6, lines 25-49].

24. Okumura does not specifically teach the user's device including a pager, cellular telephone etc. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a pager or a cellular telephone as a user's device in Okumura's system because doing so would bring the convenience to the user by allowing user receive required information even when the user could not reach his/her regular workstation. One of ordinary skill in the art would have been

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motivated to modify Okumura's system with different user's device to improve the capability of the system.

25. Okumura does not specifically teach a changeable threshold level for specifying the level of interest for the information from the user. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize a changeable threshold level for specifying the level of interest for the information from user because doing so would make the system more dynamic by allowing user select different topics when his/her preference changed by the time. One of ordinary skill in the art would have been motivated to modify Okumura's system with a changeable threshold level to provide better service to user.

26. As per claims 75 and 76, Okumura teaches the invention substantially as claimed in claim 1. Okumura does not specifically teach the client system having an embedded micro-server. However, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to added an embedded micro-server in client system in Okumura's system because doing so would make the information transmission between resource and user more accurate and reliable. One of ordinary skill in the art would have been motivated to modify Okumura's system with an embedded micro-server to improve the performance of the entire system.

Conclusion

27. Applicant's arguments filed on 1/16/04 for claims 1-19 and 20-76 have been fully considered but they are not deemed to be persuasive.

28. In the remarks, applicant argued in substance that (1) latency is added in Okumura's system because the pattern matching calculation used each time once the information is fetched; (2) rejection for claims 6-13, 15-23 and 25-26 is improper; (3) Okumura does not teach delivering the information to the user by a data source; (4) Okumura does not teach the limitation of claim 52.

29. Examiner respectfully traverses applicant's remarks:

A. As to point (1), there is no any claim language in claims indicates there is no pattern matching calculation in application's system, in contrast, applicant's system delivering information to the user based on the user's profile, which it is obvious requiring a searching or matching step to make determination for delivering.

B. As to point (2), applicant fails to consider the teaching of Okumura for delivering information to the targeted user based on user's profile [i.e., interest, preferences, etc.], it is obvious to a ordinary skill in the art to provide the information in different language group to attract more global users.

C. As per point (3), see the corresponding paragraph for details in the action.

D. As per claim (4), applicant fails to consider the teaching of Okumura for recording the fetched information [col. 5, line 55-65] and delivering it to user or tell user

the location of the information [col. 9, line 66 – col. 10, line 6]. Thus, Okumura does teach the limitation of claim 52.

Accordingly, Okumura is a relevant prior art reference.

30. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP §706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

31. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee, can be reached on (703) 305-8498. The fax number for this Group 2100 is (703) 872-9306.


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Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

March 31, 2004


ZARNI MAUNG
PRIMARY EXAMINER